

Court of Appeals, State of Michigan

ORDER

People of MI v David Charles Brockitt

Docket No. 264710

LC No. 05-000158 FH

Alton T. Davis
Presiding Judge

William C. Whitbeck, CJ

Stephen L. Borrello
Judges

The Court orders that the motion to remand is DENIED because the trial court presently has the authority to review a request to correct the presentence report. Under MCR 7.208(A), it is the judgment of sentence that cannot be modified while this appeal is pending absent consent or a remand. However, there is nothing in MCR 7.208(A) that would prohibit the trial court from correcting a presentence report when there is no request for resentencing.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 17 2006

Date

Sandra Schultz Mengel
Chief Clerk